



NEW YORK STATE SENATOR

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From the Desk of Senator Jack M. Martins

JACK M. MARTINS July 17, 2015

Averting Tragedy

These days we hear the word “tragedy” thrown about frequently in the press. Every natural disaster, calamity or heartbreaking accident gets immediately tagged in headlines as being tragic. While there’s certainly enough bad news to go around, I can’t help but think back to what I learned in high school literature class: that a “tragedy” in its truest sense was some downfall or ruin caused by the character himself, that the person was somehow responsible for his or her own undoing.

This definition came to mind last week as a New York City police officer friend of mine enlightened me to what might be the single most egregious display of foolishness I’ve seen all year. People are selling and actually buying “gun-grip” cell phones cases. They are shaped like pistols and revolvers, complete with triggers, and come in colors including black or silver making them almost impossible to distinguish from a real gun, which I guess is part of their revolting appeal. Some of these idiotic devices even come with apps that allow the user to play simulated games of Russian Roulette! So once again we’re asked to turn a blind eye as violence and death are marketed to our children so that someone can make a quick buck.

In light of all the senseless violence and tension between citizens and law enforcement this past year, this officer wanted to know how anyone could get away with selling these.

More pointedly, he wanted to know what New York's lawmakers were doing about it.

The fact is that these handgun-shaped cell phone cases create a dangerous situation for the public, the police, and most especially the person who is carrying it. Imagine a crowded subway car when someone pulls this case out. It's highly conceivable that weary New Yorkers who are on especially high alert could panic and in a worst case scenario, a citizen with a real gun might take it upon themselves to be a hero. And I certainly don't need to explain how this situation plays out for law enforcement. Just last November we saw how an officer in Ohio mistakenly shot a child who was brandishing a toy gun, sending shockwaves through the community.

When our local police see these cases what shall we expect of them? That they hesitate and risk havoc or that they act and risk senseless tragedy? And why on earth should we force them to make that choice? I don't know an officer anywhere who wants to turn their weapon on an innocent person. That ruins the lives of everyone involved, including their own.

I did have one constituent who wrote that the issue demanded personal accountability and giving people the freedom to make their own mistakes but I respectfully disagree. It sounds good on paper but try telling that to a mother burying her innocent child or to the guilt-ridden cop whose career has ended. I wouldn't want that task and thankfully, I'm in a position to do something about it.

Current state law bans toy guns and other types of imitation weapons that substantially duplicate or can reasonably be perceived to be a real firearm. I recently introduced legislation that would expand the law to specifically include the handgun-shaped cell phone cases. While this seems to be a no-brainer, nothing is ever easy, especially when profit is involved. That's why I'm asking you to please sign my petition demanding passage of this law by [clicking here](#). I would like to see the full weight of good and sensible people

everywhere, from both sides of the aisle, from every background and neighborhood, come together to demand common sense. And then maybe, just maybe, we will avoid what most certainly will be a true tragedy.